

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CROSS COUNTRY MOTOR CLUB, INC.,

Plaintiff,

v.

CIVIL ACTION NO. 04-CV-11992 NG

AUTO SERVICES COMPANY, INC.,

Defendant

**ASSENTED TO MOTION FOR ADMISSION PRO HAC VICE OF  
JASON A. ADVOCATE**

The undersigned, Neal J. Bingham, Esq., hereby moves this Court, in accordance with the provisions of Rule 83.5.3(b) of the Local Rules for the United States District Court for the District of Massachusetts, for an order granting Jason A. Advocate (the "Applicant") leave to appear *pro hac vice* on behalf of the defendant, Auto Services Company, Inc. ("Defendant"). In support hereof the Applicant states:

1. The Applicant is a partner at the law firm of Ohrenstein & Brown, LLP, One Penn Plaza, 46th Floor, New York, NY 10119-0002.
2. The Applicant is a member of the bars of the State of New York and the State of New Jersey, and has been admitted to practice before the United States District Court for the Eastern District of New York and United States District Court for the Southern District of New York.
3. The Applicant is in good standing to practice before the courts to which he has been admitted.

4. The Applicant has never been subjected to any discipline by any court or administrative body, and no disciplinary proceedings are currently pending against him as a member of the bar in any jurisdiction.

5. The Applicant is familiar with the Local Rules of the United States District Court of the District of Massachusetts

6. In further support of this motion the undersigned has attached hereto the Rule 83.5.3 Certificate of Jason A. Advocate as Exhibit A.

WHEREFORE, the undersigned respectfully requests that this motion be allowed and that the Applicant be permitted to appear *pro hac vice* on behalf of Defendant.

Respectfully submitted,

CROSS COUNTRY MOTOR CLUB, INC.

by its attorneys,

William F. Benson (7jb)  
Victor H. Polk, Jr., BBO# 546099  
William F. Benson, BBO# 646808  
Bingham McCutchen, LLP  
150 Federal Street  
Boston, MA 02110  
(617) 951-8000

AUTO SERVICES COMPANY, INC.

by its attorneys,

Neal B. Bingham  
David Rapaport, BBO# 411920  
Neal J. Bingham, BBO# 652029  
Davis, Malm & D'Agostine, P.C.  
One Boston Place  
Boston, MA 02108  
617-367-2500

Dated: October 28, 2004

## **EXHIBIT A**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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Defendant

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**RULE 83.5.3 CERTIFICATION OF JASON A. ADVOCATE**

I, Jason A. Advocate, hereby certify as follows:

1. I am a partner at the law firm of Ohrenstein & Brown, LLP, One Penn Plaza, 46th Floor, New York, NY 10119-0002, and am counsel for the defendant in this matter, Auto Services Company, Inc.

2. I am a member of the bars of the State of New York and the State of New Jersey, and have been admitted to practice before the United States District Court for the Eastern District of New York and United States District Court for the Southern District of New York.

3. I am in good standing to practice before the courts to which I have been admitted. I have never been subjected to any discipline by any court or administrative body, and no disciplinary proceedings are currently pending against me as a member of the bar in any jurisdiction.

4. I am familiar with the Local Rules of the United States District Court of the District of Massachusetts.

5. I hereby designate David Rapaport and Neal J. Bingham of Davis, Malm & D'Agostine, P.C., One Boston Place, Boston, MA 02108 to serve as local counsel for Auto Services Company, Inc. in connection with this matter.

  
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Jason A. Advocate